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Chairman: Mr. Al-Hinai ..... (Oman)

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The meeting was called to order at 10.30 a.m.

Agenda item 117: Elimination of racism and racial discrimination (*continued*) (A/56/3, A/56/18 and Corr.1, A/56/71-E/2001/65, A/56/79, A/56/94, A/56/228, A/56/481, A/56/647, A/56/649-S/2001/1111, A/56/673; A/CONF.189/12)

1. **Mr. Wenaweser** (Liechtenstein) said that his country attached great importance to combating racism and had recently ratified the International Convention on the Elimination of All Forms of Racial Discrimination. Liechtenstein's preparation of its initial report under that Convention had provided an opportunity for his country to identify areas in which further action was needed.

2. Although States had the primary responsibility for combating racism, racism was a global phenomenon requiring international action. The attacks of 11 September and their aftermath had shown that racism could be both a result and a root cause of terrorism. The Durban Declaration and Programme of Action had rightly placed strong emphasis on the need for prevention and education and the problem of multiple discrimination, although there were some parts of the documents which Liechtenstein did not embrace wholeheartedly. Lessons needed to be learned from the document finalization process, so as to preserve the functioning and credibility of United Nations conferences. Moreover, firm action was now required so as to capitalize on the common political will to end racism.

3. **Mrs. Kang** Kyung-wha (Republic of Korea) said that while much progress had been achieved in the struggle against racism, too many people around the world still fell victim to various forms of racial discrimination. The end of the twentieth century had seen the revival of ethnic cleansing in certain regions, which was a disgrace to humanity. The large-scale movement of people across national borders was becoming increasingly common, but the international community had yet to establish sufficient safeguards to protect migrant workers from discrimination and human rights violations. In addition, women and girls belonging to ethnic minorities were often subjected to multiple discrimination, and efforts should be made to protect them, in particular by mainstreaming a gender perspective into all policies aimed at eliminating racial discrimination.

4. The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance had represented a landmark in the crusade against racism and had shown that discrimination could be eliminated only through determined international efforts. The final Declaration and Programme of Action must be translated into action through effective national action plans. Her Government was committed to that task.

5. **Mr. Erdös** (Hungary) said that racial discrimination continued to pose a serious threat to stability and the rule of law, and the international community had a duty to pay special attention to the problem. The United Nations monitoring system had a particular role to play in that regard. The protection of the rights of victims of racism and racial discrimination should be enshrined in an international legal document.

6. His Government attached great importance to the outcome of the Durban Conference, particularly with regard to the situation of the Roma — a sizeable ethnic minority in Hungary — and welcomed the affirmation that States had a responsibility to protect minority groups. The Programme of Action reflected Hungary's view that the key element in improving the situation of the Roma was equal access to education and the emphasis on the importance of consulting Roma communities in the preparation and implementation of measures to combat discrimination was also borne out by Hungary's experience.

7. The complex social and economic changes that had taken place in Hungary over the past decade had affected the Roma community more than other sectors of the population. The Government had put in place a number of measures designed to reduce inequality, combat prejudice and discrimination and strengthen the cultural identity of the Roma. The most recent European Union report on Hungary's preparations for membership had recognized those measures, while noting that progress in implementing them was somewhat slow. In addition, a report by Save the Children had mentioned the positive impact of Hungary's system of autonomous administration for the Roma. Hungary was also a party to the European Charter for Regional or Minority Languages adopted by the Council of Europe and had stated its intention to extend the provisions of the Charter to the two main Roma languages spoken in Hungary.

8. A policy of positive discrimination was the only way to ensure the integration of the Roma into Hungarian society while preserving their identity. The first independent Roma radio station in central Europe had recently been set up in Hungary and it was hoped that its broadcasts would help improve understanding between the Roma community and the rest of the population. Public condemnation of discrimination and the implementation of measures to combat it were the only way to build just, tolerant and prosperous societies.

9. **Mr. Wehbe** (Syrian Arab Republic) said that racism and its hateful practices were one of the greatest of social scourges for it encroached on all human values. It was a matter of great concern that propaganda disseminated through the mass media and through modern technology could be used to glorify the achievements of one civilization to the detriment of another, thereby giving certain ethnic or religious groupings a sense of superiority and jeopardizing international stability and peace.

10. It was perhaps not widely known that the struggle of the Arab people against racism was rooted in their history. People fleeing persecution from other countries had always found refuge in his own country and had lived there in the same way as Syrian nationals, sharing the same rights and duties. His country had been among the first States to accede to international conventions against racism and racial discrimination.

11. Acts of racial discrimination were being committed by the occupying Israeli forces against the Palestinian people in the occupied Arab territories, as had been amply documented by United Nations committees. The continuing occupation, the killing of Palestinians, the arbitrary persecution of children, the wholesale demolition of houses and the displacement of their occupants, and the assassination of Palestinian leaders were tantamount to racism. Israel was mistaken if it thought that it could remain above the law and continue to ignore the determination of the Arabs to achieve justice and equality.

12. Not only had Israel engaged in racist practices but it had enacted laws that protected those practices. The continued refusal of Israel to abide by General Assembly resolution 194 (III) which provided for the return of Palestinian refugees, the racist and oppressive measures taken by the Israeli occupying forces against Arabs, and particularly the expulsion of Palestinians who were forced to leave their land and the establishment of Jews from all parts of the world in settlements built on occupied Arab land with a view to changing the demographic character of the occupied Arab lands were a violation of the Geneva Conventions of 1949.

13. His delegation very much hoped that the international community would make still greater efforts to address the issues on which agreement had not been reached in the Declaration and Programme of Action adopted at the Durban Conference. Hopes in that regard rested on the role to be played by the United Nations in the future in combating racism and racial discrimination.

14. **Mr. Gopinathan** (India) said that, despite the principles of equality set out in the Universal Declaration of Human Rights, racism and xenophobia continued to exist in most areas of human interaction. In order to combat racism effectively, it was necessary to eliminate the misconception that genetic and physical characteristics indicated divisions among races and different stages of human development. The mapping of the human genome was the most recent attempt to draw such distinctions, and it should be thwarted before it created further forms of social differentiation. Racism was an acquired mental attitude. The Durban Declaration and Programme of Action therefore rightly emphasized the importance of education in efforts to eliminate racism.

15. His delegation hoped that the Anti-Discrimination Unit set up in the Office of the High Commissioner for Human Rights would make an effective contribution to the implementation of the Programme of Action. During the Durban Conference, attempts had been made to broaden the agenda to cover all forms of discrimination; however, his delegation believed that the focus should remain on racial discrimination, as set out in the Programme of Action. The most distressing aspect of racial discrimination was the fact that many of its victims were innocent, and were unknown to the perpetrators. The whole of humanity therefore had a duty to work towards eliminating it completely.

16. **Mr. Fadaifard** (Islamic Republic of Iran) said that the Durban Conference had helped to mobilize global will to eliminate racism and had reaffirmed the commitment to the principles enshrined in the Charter of the United Nations. The Durban Declaration and Programme of Action contained a range of

recommendations for action to combat racism, which all States should follow up with the full involvement of civil society.

17. Regrettably, however, it had not taken a stand on the most vivid manifestation of institutionalized racism: the situation of the Palestinians, who were being uprooted from their land and killed. The Islamic Republic of Iran was fully committed to playing its part in efforts to fulfil the commitments entered into at Durban and believed that the outcome of that Conference should be put on an equal footing with the outcomes of other major human rights conferences. He suggested that a review process should be established to ensure full implementation of the Durban Declaration and Programme of Action.

18. **Mr. Jacob** (Israel) said that the legacy of the Holocaust had informed the character of the modern State of Israel. His country was fully committed to stamping out racism and it was in that spirit that the Israeli delegation had attended the Durban Conference. Regrettably, although some delegations had made commendable contributions, others had singled Israel out for defamation and, as a result, Israel had been compelled to withdraw from the Conference. Certain delegations were continuing their rhetoric of hatred in the Committee, levelling unfounded accusations against Israel instead of confronting their own shameful records of human rights violations. It was regrettable that the Palestinian-Israeli conflict had been repeatedly mentioned at the Durban Conference and in the Committee's discussions on racism. That conflict was not a racial one, but rather a political and territorial one, involving two peoples, both with rights and grievances; it could be resolved only by a renunciation of violence and terrorism and a commitment to negotiations.

19. Israel could not unequivocally support the outcome of the Durban Conference precisely because it was committed to the goals of the Conference, which had been shamelessly trampled upon. However, Israel's dedication to the ideals of peace, justice and equality for all people remained as strong as ever.

20. **Mr. Khalil** (Egypt) said that racism was one of the worst scourges afflicting the world. He welcomed the Declaration and Programme of Action adopted at the Durban Conference and called on States to demonstrate the political will to mobilize the efforts and resources that were required to give effect thereto and to make a commitment to the creation of a just world order that left no place for discrimination on grounds of colour, ethnicity, language, religion or differences of culture.

21. Although the principle of non-discrimination was one of the foundations of international law there still existed numerous practices characterized by racism, racial discrimination, xenophobia and intolerance. His country was particularly concerned at the ill-treatment to which many immigrants were subjected in various countries and the discrimination against them because of their religion. In that connection, his delegation emphasized that the right to education and to economic and social development were vital in combating racism.

22. The Durban Declaration had recognized that colonialism had led to racism, racial discrimination, xenophobia and related intolerance. In that connection, he drew attention to the suffering of the Palestinian people under foreign military occupation and to the need to assist it in its struggle and called on Israel to put an end to its occupation of all Arab lands and to return the territories to their rightful occupiers in the framework of a just and comprehensive peace based on the resolutions of the United Nations, and on international law in accordance with the principle of land for peace.

23. **Mr. Motomura** (Japan), after citing some of the major achievements in the elimination of racism over the past 40 years, said that every country had issues of racism and discrimination to address. It was of utmost importance for the entire world to be united in combating racism and racial discrimination. Any attempt to incite hatred and provoke racial, cultural and religious confrontation should be condemned.

24. In connection with the discussions at Durban, his Government considered it important to integrate developing countries into the global economy and resist their marginalization. There would be neither stability nor prosperity in the twenty-first century unless the problems stemming from poverty, particularly in Africa, were effectively addressed.

25. On the basis of its own experience, and building on its deep remorse over its past history, Japan was determined to eliminate self-righteous nationalism and promote international cooperation, thereby advancing the principles of peace and democracy throughout the world. Education was of particular significance in preventing the ignorance and prejudice that gave rise to

racism and discrimination. Further efforts should be made to deepen mutual understanding among races and ethnic groups through such means as youth exchanges. His Government was firmly committed to fighting discrimination and to achieving a society in which each person was respected as an individual.

26. **Mr. Helg** (Observer for Switzerland) said that although it had been difficult to achieve consensus and reservations remained about some sections of the Declaration and Programme of Action, the primary objective of the Durban Conference had been achieved: a new global standard had been set in the recognition of racism. The outcome documents not only outlined measures to prevent and eliminate discrimination, but also expanded the definition of groups victimized by racism to include those discriminated against on the basis of language, gender or because they were part of an ethnic or national minority.

27. Switzerland attached particular importance to non-discrimination in education, monitoring of racist Internet sites, the establishment and consolidation of national anti-discrimination bodies and legal action against those who practiced racism and racial discrimination. It had already begun the process of translating the Durban documents into a national strategy.

28. Switzerland supported the establishment of an anti-discrimination unit in the Office of the High Commissioner for Human Rights and the appointment of five independent eminent experts by the Secretary-General. It also encouraged regular monitoring of the implementation of the Declaration and Programme of Action, and suggested that the High Commissioner should submit an annual report on the subject to the Commission on Human Rights. Regional follow-up to the Conference should take place within the Council of Europe and the Organization for Security and Cooperation in Europe (OSCE).

29. **Ms. Loemban Tobing-Klein** (Suriname) said that her delegation was especially pleased with the listing in the Programme of Action of the many past and current victims of racism, racial discrimination, xenophobia and related intolerance. The Durban Declaration and Programme of Action should be followed by firm action, and in that regard, the proposed anti-discrimination unit and the appointment of five independent experts were promising ideas.

30. Suriname, as a country seriously affected by the transatlantic slave trade and slavery, had stressed the need for reparation, compensatory measures and funding for education and awareness programmes. It was ready to share its experience and to make a meaningful contribution in the struggle against racism and discrimination.

31. **Ms. Espindola** (Ecuador) said that advances in technology drew the world closer together and erased borders, while racism and racial discrimination separated peoples and dashed their dreams of living in a society without inequality, where all understood that they were part of one human family. The Durban Conference had brought to light such hidden issues as religious discrimination, ethnic conflicts, the situation of indigenous peoples, and gender discrimination. Effective follow-up would be required to ensure that the promises made at the dawn of the new millennium were kept.

32. Ecuador upheld a policy of respect for human rights and had signed the international human rights treaties. Its Criminal Code included provisions to punish racial discrimination. The Government had made the preservation and strengthening of the cultural heritage of ethnic groups a priority, and the multicultural nature of Ecuadorian society was recognized by the legal system. The President had just designated the Public Prosecutor's Office as the national body to handle all complaints regarding violation of any of the rights set forth in the Convention on the Elimination of All Forms of Racial Discrimination. The Government also gave full civil rights to migrants, in accordance with the Constitution.

33. **Mr. Agam** (Malaysia) said that one of the most significant breakthroughs of the Durban Conference had been the recognition that slavery and the slave trade were crimes against humanity. Only by squarely confronting the past could the process of healing within and between peoples, societies and nations take place.

34. While the outcome documents were milestones in the efforts of the international community to combat racism, they did not adequately reflect the worsening plight of the Palestinian people, nor mention that the suffering of these people was a result of policies based on discrimination and exclusion by the occupying Power. Those policies were carried out in the name of security, but they affected almost every sphere of life in the occupied Palestinian territory.

35. The documents provided a clear framework for effective measures to achieve the objective of the elimination of racism and racial discrimination, but they had yet to be implemented on the national and internationa' level. His delegation therefore welcomed the proposal to establish an anti-discrimination unit in the Office of the High Commissioner for Human Rights, which should operate on the basis of openness and transparency.

36. **Mr. Andrabi** (Pakistan) said that racism, the belief in the innate superiority of one particular race, was an affront to human dignity and equality. In the eighteenth and nineteenth centuries racism had manifested itself in slavery and colonialism, while in the twentieth century it had taken the form of apartheid and ethnic cleansing.

37. While official manifestations of racism might have declined, its private dimensions persisted, and led to continued gross violations of human rights. In many cases, States refused to recognize the racism that existed in their societies. In fact, Pakistan's neighbour, the world's largest democracy, was also home to the world's largest stigmatized and segregated population — the 160 million people considered untouchable and subjected to sub-human treatment. The rise of religious fundamentalism, another manifestation of racism and related intolerance, had led to the demolition of religious and cultural sites and the killing of innocent people. The Durban Declaration and Programme of Action provided a structure for restitution not through verbal atonement but through concrete action to redress the economic, social and psychological ravages suffered by victims of racism.

38. Pakistan had always denounced racism and racial discrimination in all its forms and manifestations and was deeply committed to promoting respect for human rights and fundamental freedoms. Its commitment was guided by the tenets of Islam, where equality of all people was enshrined as a cardinal principle of the faith. Its Constitution forbade discrimination on grounds of race, religion, caste or sect, and imposed an obligation on the State to safeguard the legitimate rights and interests of minorities, including their appropriate representation in the Federal and provincial services.

39. In conclusion, he urged the Committee to endorse by consensus the Durban Declaration and Programme of Action, as it had in the case of all previous major conferences and summits. The inability to do so would be rightly construed as an act of discrimination.

40. **Mr. Linati-Bosch** (Observer for the Sovereign Military Order of Malta) said that racism and racial discrimination were closely tied to ignorance, intolerance, poverty and violence. Currently, no one denied that all human beings were born free, equal in dignity and race and that all had the potential to contribute to the development of a better world. Any doctrine that maintained the theory of racial superiority was universally considered scientifically false, morally contemptible and socially unjust. However, it was not enough just to condemn discrimination. States must assume their responsibilities and work to eliminate discrimination in education, health care and housing and ensure that the laws protecting migrants were respected. At the same time it must be recognized that the characteristics of certain minorities must be protected and that their cultural identity must be helped to survive.

41. Poverty, marginalization, social exclusion, economic disparity and insecurity affecting people in the developing countries in particular must be replaced by a spirit of solidarity through poverty eradication, institution-building, investment, market access, improved food security, transfer of technology and Government transparency and accountability. There was an urgent need for a policy towards refugees and displaced persons and for the establishment of independent national human rights institutions in accordance with General Assembly resolution 48/134.

The meeting rose at 12.15 p.m.